

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

KENNETH L. BUHOLTZ,  
ID # 18875-078,  
*Petitioner,*

v.

DR. S. GRANT,  
*Respondent.*

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No. 3:24-CV-2178-X-BW

**ORDER ACCEPTING FINDINGS AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

After reviewing all relevant matters of record in this case, including the Findings, Conclusions, and Recommendation of the United States Magistrate Judge and any objections thereto, in accordance with 28 U.S.C. § 636(b)(1), the Court is of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court. For the reasons stated in the Findings, Conclusions, and Recommendation of the United States Magistrate Judge, the *Petition for Writ of Habeas Corpus Under 28 U.S.C. § 2241*, received on August 26, 2024 (Dkt. No. 3), is **DISMISSED** without prejudice for failure to exhaust available remedies.

A certificate of appealability (COA) is not required to appeal the denial of relief under 28 U.S.C. § 2241. *See Padilla v. United States*, 416 F. 424, 425 (5th Cir. 2005). If the petitioner files a notice of appeal, he must pay the \$605.00 appellate filing fee or submit a motion to proceed *in forma pauperis* and a properly signed certificate of inmate trust account.

**SIGNED this 22nd day of January 2025.**

  
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BRANTLEY STARR  
UNITED STATES DISTRICT JUDGE